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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, CAO H

ART UNIT PAPER NUMBER

2173

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,474

Applicant(s)

TAM, EDWIN

Examiner

Cao (Kevin) Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Kilray et al. (US Patent No. 6,475,146 B1).

Regarding claims 1 and 10, Kilray discloses a method of selecting and presenting user customizable preferences, the method comprising: providing a display having user preference selections, the user preference selections including a customizable selection [..providing a control interface for allowing the user to customize parameters of the size, font the color of highlighting; see col. 3, lines 10-19] ; receiving a customized user preference selection as an input to the customizable selection, and presenting the customized user preference selection in the display of user preference selections along with the customizable selection [..the text-reader software may be customized to underline the words that are being electronically enunciated to suite the user's preference; see col. 8, lines 46-63].

Regarding claim 2, Kilray discloses, wherein the step of receiving a customized user preference selection includes launching a data entry request window when the customizable selection is selected (see col. 11, lines 15-62).

Regarding claim 3, Kilray discloses, wherein the step of receiving a customized user preference selection includes accessing a stored value previously entered by a user (see col. 12, lines 29-65).

Regarding claim 4, Kilray discloses, wherein the customizable selection is set to be the default selection in the user preference selections such that the customizable selection and customized user preference selection are displayed in the user preference selections (see col. 13, lines 33-65).

Regarding claims 5-7, Kilray discloses, wherein the step of presenting the customized preference selections includes presenting the customized user preference selection in parenthesis next to the customizable selection in the user preference selections; and wherein the customizable selection corresponds to a specific image compression percentage (see col. 14, lines 7-51).

Regarding claim 8, Kilray discloses, wherein the customized user preference selection is a number (see figures 5A-6).

Regarding claim 9, Kilray discloses user preference selection along with the customizable selection in the user preference selections includes updating the customizable selection in the user preference selections based upon configuration settings (see col. 15, lines 7-67).

As claims 11-20 are analyzed as previously discussed with respect to claims 1-10 above.

Response to Arguments

Applicant's arguments filed on 05/24/05 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a number of selections for percentage of image compression) are not recited in the rejected claim(s) 1, 10 and 17. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

On page 3 of the Remark; Applicant argues that Kilray does not teach or suggest "providing a display having user preference selections, the user preference selections including a customizable selection receiving a customized user preference selection as an input to the customizable selection, and presenting the customized user preference selection in the display of user preference selections along with the customizable selection". However, the limitations as claimed set forth to broadly read on "...the parameters of the text-reader software, such as the size of the font, the color of the highlighted text, the volume of the synthesized speech, etc., can be adjusted or customized by a user. The text-reader software may be customized to underline or boldface the words that are being electronically enunciated to suit the user's personal taste and preference. Details of the customization of various parameters of the present text-reader software; see Kilray.

On page 4 of the Remark; Applicant argues that Kilray does not teach or suggest “providing a display having user preference selections, the user preference selections including a customizable selection and the customizable selection in the display of user preference selections”. However, the limitations as claimed set forth to broadly read on “..accessing a source of text-based data, displaying text-based data in a text window with a standard font and size, and/or displaying a portion of the text-based data in another text window with a magnified font and size, sequentially highlighting the text-based data in one or both text windows one word at a time; and generating synthesized speech signals representative of the highlighted word and rendering the synthesized speech signals audible synchronously with the displaying of the highlighted text such that text-based information and corresponding audible information can be perceived simultaneously by the user. The present invention may also be used for assisting users with visual impairments in document editing and retrieving information from the World Wide Web. The method further includes the steps of: providing a third window for displaying graphic images, and displaying an image depicting the text-based data synchronously with the displaying and highlighting of the text-based data. A configuration file is used to store a list of keywords or key phrases and the names of the images associated with the keywords or key phrases and to be displayed when the keywords or key phrases are encountered. In another embodiment, an animated sequence depicting the text-based data is displayed synchronously with the displaying and highlighting of the text-based data. In yet another embodiment, audio or sound effects depicting the text-based data are audibly generated synchronously with the displaying and highlighting of the text-based data. The method further comprises the

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step of providing a control interface for allowing the user to customize parameters of the present invention, such as the size of the font, the color of the highlighting, the volume, tone, speed, etc., of the synthesized speech, etc. In addition, the control interface may allow the user to change the method of highlighting to underlining or bold-facing to suit the user's personal taste and preference." see Kiraly.

Accordingly, the claimed invention as represented in the claims does not represent a patentable distinction over the art of record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

07/22/05